

HOUSE CONCURRENT RESOLUTION NO. 3030

Introduced by

Representatives M. Nelson, Hanson

1 A concurrent resolution requesting Congress to propose a constitutional amendment and, if
2 Congress does not propose an amendment, applying to Congress to call a constitutional
3 convention for the purpose of proposing an amendment to the Constitution of the United States
4 clarifying that the rights protected under the Constitution are the rights of natural persons and
5 not the rights of artificial entities and that spending money to influence elections is not speech
6 under the first amendment.

7 **WHEREAS**, under Article V of the Constitution of the United States, the Congress,
8 whenever two-thirds of both houses shall deem it necessary, shall propose amendments to the
9 Constitution; and

10 **WHEREAS**, under Article V of the Constitution of the United States, the Congress, on the
11 application of the legislatures of two-thirds of the several states, shall call a convention for
12 proposing amendments to the Constitution of the United States which shall be valid to all intents
13 and purposes if ratified by the legislatures of three-fourths of the several states, or by
14 conventions in three-fourths thereof, as one or the other mode of ratification may be proposed
15 by Congress;

16 **NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF**
17 **NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

18 That the Sixty-fourth Legislative Assembly requests the Congress of the United States to
19 propose an amendment to the Constitution of the United States which must substantially read
20 as follows:

21 "(1) The rights protected by the Constitution of the United States are the rights of natural
22 persons only.

23 (2) Artificial entities, such as corporations, limited liability companies, and other entities,
24 established by the laws of any State, the United States, or any foreign state shall have

1 no rights under this Constitution and are subject to regulation by the People, through
2 Federal, State, or local law.

3 (3) The privileges of artificial entities shall be determined by the People, through Federal,
4 State, or local law, and shall not be construed to be inherent or inalienable.

5 (4) Federal, State, and local government shall regulate, limit, or prohibit contributions and
6 expenditures, including a candidate's own contributions and expenditures, to ensure
7 that no person gains, as a result of their money, substantially more access or ability to
8 influence in any way the election of any candidate for public office or any ballot
9 measure.

10 (5) Federal, State, and local government shall require that any permissible contributions
11 and expenditures be publicly disclosed.

12 (6) The judiciary shall not construe the spending of money to influence elections to be
13 speech under the 1st amendment.

14 (7) Nothing contained in this amendment shall be construed to abridge the freedom of the
15 press."; and

16 **BE IT FURTHER RESOLVED**, that if Congress does not propose the amendment language
17 or substantially similar amendment language as contained in this resolution, the Legislative
18 Assembly of North Dakota applies to Congress to call a constitutional convention for the
19 purpose of proposing the amendment language or substantially similar language as contained
20 in this resolution as an amendment to the Constitution of the United States; and

21 **BE IT FURTHER RESOLVED**, that the Legislative Assembly and the people of North
22 Dakota demand that if Congress does not propose the amendment language in this resolution
23 and if at least two-thirds of the state legislatures have applied to Congress to call for a
24 constitutional convention to adopt the same or substantially similar constitutional amendment
25 language contained in this resolution, then the Congress must exercise its constitutional duty to
26 call a constitutional convention, and that the constitutional convention must be called within six
27 months from the date that at least two-thirds of state legislatures have made the same or similar
28 application to Congress; and

29 **BE IT FURTHER RESOLVED**, that the Legislative Assembly of North Dakota calls on other
30 states to join with the Legislative Assembly of North Dakota in this action by passing the same
31 or similar resolutions; and

1 **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution
2 to the President of the United States Senate, to the Speaker of the United States House of
3 Representatives, to each member of the North Dakota Congressional Delegation, and to the
4 presiding officers of each house of the several state legislatures, requesting their cooperation in
5 passing the same or similar resolutions.